

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TONY D. BRANDON §
§
V. § CASE NO. 4:11-CV-261
§ Judge Schneider/Judge Mazzant
WELLS FARGO BANK, N.A., ET AL. §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On November 30, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants Wells Fargo Bank, N.A. and Federal Home Loan Mortgage Corporation's Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. #30) be granted in part and denied in part.

The Court, having made a *de novo* review of the objections raised by Defendants, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendants Wells Fargo Bank, N.A. and Federal Home Loan Mortgage Corporation's Motion to Dismiss Plaintiff's Second Amended Complaint (Dkt. #30) is

GRANTED in part and Plaintiff's claim under the DTPA is DISMISSED. All other claims shall proceed.

It is SO ORDERED.

SIGNED this 16th day of December, 2011.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE